

Appl. No. 10/767,983
Amdt. Dated May 30, 2006
Reply to Advisory Action of March 7, 2006

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. Reconsideration of the application is respectfully requested in view of the remarks and amendments provided herein.

Claims 4-7 and 13 were objected to for containing informalities. The claims have been amended herein to cure any such informalities. Withdrawal of this objection is respectfully requested.

Claim 4 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claim 4 has been amended to cure any indefiniteness. Withdrawal of this rejection is requested.

Claims 3-5 and 13 were rejected under 35 U.S.C. 102(b) as being anticipated by Pizzo (U.S. Patent No. 6,019,478). Traversal of this rejection is made for at least the following reasons. Pizzo does not disclose a crashable connecting portion for connecting together the operation portion and the mounting portion, the crashable connecting portion being adapted to be crashed upon an impact force exerted on the operation portion such that when the crashable connecting portion is crashed, the operation portion moves with respect to the mounting portion, as recited in independent claim 1. The Examiner relies on the support ribs 36 of Pizzo as being equivalent to the claimed crashable connecting portion. The Examiner contends that the support ribs 36 are capable of being crushed in the claimed manner because the support ribs 36 are thinner than both the knob portion of 10 and the mounting portion 38. Applicant strongly disagrees. As can be clearly seen in Fig. 5 of Pizzo, the support ribs 36 are provided to strengthen the connection between the shell 16 and the mounting portion 38. In fact, because the support ribs 36 are integrally formed with the face 20 of the control knob 10, the support ribs 36 are effectively thicker than both the knob portion of 10 and the mounting portion 38. For at least these reasons, it is not clear to the Applicant how the support ribs 36 are adapted to be crashed upon an impact force exerted on the operation portion, as required by claim 1. Further, assuming arguendo, that the support ribs 36 are capable of being crashed, when crashed, the operation portion of the knob would not move with respect to the mounting portion, as required by claim 1.

For at least the aforementioned reasons, Pizzo does not disclose each and every limitation as set forth in independent claim 1. Accordingly, Pizzo cannot anticipate claim 1 or claims 2-7 and 13, which depend therefrom. Withdrawal of this rejection is respectfully requested.

Appl. No. 10/767,983
Amdt. Dated May 30, 2006
Reply to Advisory Action of March 7, 2006

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 36416.

Respectfully submitted,
PEARNE & GORDON LLP



Una L. Lauricia, Reg. No. 48,998

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700
Date: May 30, 2006